

Assigned DOGM File No.: S/015/0099

DOGM Lead: Wayne

Permit Fee \$ 15000 Ck # 561

0001

**STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING**

1594 West North Temple Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
Telephone: (801) 538-5291 Fax: (801) 359-3940

**NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS**

The informational requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and the General Rules as promulgated under the Utah Minerals Regulatory Program.

"Small Mining Operations" mining operations which have a disturbed area of five or less surface acres at any time.

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**I. GENERAL INFORMATION** (Rule R647-3-104)

1. Name of Mine: Four Corners #2

2. Legal name of entity (or individual) for whom the permit is being requested: Kimmerle Mining LLC

Mailing Address: 2056 Plateau Dr

City, State, Zip: Moab Ut 84532

Phone: 435-259-1921 Fax: same

E-mail Address: kimmerlefh@yahoo.com

Type of Business: Corporation ( ) LLC (x) Sole Proprietorship (dba) ( )

Partnership ( ) General \_\_\_\_\_ or \_\_\_\_\_ limited

Or:

Individual ( )

**Entity must be registered (and maintain registration) with the State of Utah, Division of Corporations (DOC) [www.commerce.utah.gov](http://www.commerce.utah.gov).**

Are you currently registered to do business in the State of Utah? Yes

Entity # 20-2716757

If no, contact [www.commerce.utah.gov](http://www.commerce.utah.gov) to renew or apply.

Local Business License # not required (if required)

Issued by: County \_\_\_\_\_ or City \_\_\_\_\_

**3. Contact Person(s)**

Name: Kyle Kimmerle Title: Managing Member

Address: 2056 Plateau Dr

City, State, Zip: Moab ut 84532

Phone: 435-259-1921 Fax: same

Emergency, Weekend, or Holiday Phone: same

E-mail Address: kimmerlefh@yahoo.com

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DIV. OF OIL, GAS & MINING

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Contact person to be notified for: permitting ( ) surety ( ) Notices ( ) (please check all that apply)

Name: same Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Emergency, Weekend, or Holiday Phone: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

Contact person to be notified for: permitting ( ) surety ( ) Notices ( ) (please check all that apply)

Registered Utah Agent (as identified with the Utah Department of Commerce) (if individual leave blank):

Name: same \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

4. **If Business is a Sole Proprietor:**

Name of Owner: N/A Title: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**If Business is a Corporation:**

Name of Officers: N/A Title: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Title: \_\_\_\_\_  
Title: \_\_\_\_\_  
Title: \_\_\_\_\_  
Title: \_\_\_\_\_

Headquarters Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Headquarters Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**If Business is a Limited Liability Company: Member Managed**

Name of 1<sup>st</sup> Member/Manager: Kyle Kimmerle Title: Managing Member  
Business Address: 2056 Plateau Dr City, State, Zip: Moab Ut 84532

Phone: 435-259-1921 Fax: same  
E-mail Address: kimmerlefh@yahoo.com

Name of 2<sup>nd</sup> Member/Manager: David Kimmerle  
Business Address: 222 S. 100 W.  
City, State, Zip: Blanding Utah 84532  
Phone: 435-678-2188 Fax: same  
E-mail Address: NA

**If Business is a Partnership:**

Name of Partner: NA  
Business Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

5. **Ownership of Land Surface:**

Public Domain (BLM) ☒

Other (please describe): Public

Name \_\_\_\_\_ Address \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

6. **Ownership of Minerals:**

Public Domain (BLM) ☒

Other (please describe): Public

Name \_\_\_\_\_ Address \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

BLM Lease or Project File Number(s) and/or USFS assigned Project Number(s): \_\_\_\_\_

BLM Claim Numbers 377672-377675

Utah State Lease Number(s): NA

Name of Lessee(s) NA

7. **Have the above surface and mineral owners been notified in writing?**

Yes (cc this application) No \_\_\_\_\_

If no, why not? \_\_\_\_\_

*Please be advised that if State Trust Lands are involved, notification to the Division of Oil, Gas and Mining alone does not satisfy the notification requirements of Mineral Leases upon State Trust Lands. Exploration or mining activity on State Trust Lands requires a minimum of 60 days notice to the Trust Lands Administration **prior** to commencing any activities. Please contact the School Institutional Trust Lands Administration (SITLA) at (801) 538-5508 for notification requirements.*

8. **Does the Entity have legal right to enter and conduct mining operations on the land covered by this notice?** Yes x No \_\_\_\_\_

II. **PROJECT LOCATION & MAP** (Rule R647-3-105)

1. **Project Location** (legal description):

County(ies): Emery

\_\_\_\_ 1/4, of ALL 1/4, of NW 1/4: Section: 22 Township: 21 S. Range: 14 E.  
\_\_\_\_ 1/4, of \_\_\_\_ 1/4, of \_\_\_\_ 1/4: Section: \_\_\_\_ Township: \_\_\_\_ Range: \_\_\_\_  
\_\_\_\_ 1/4, of \_\_\_\_ 1/4, of \_\_\_\_ 1/4: Section: \_\_\_\_ Township: \_\_\_\_ Range: \_\_\_\_

UTM East \_\_\_\_\_ (if known) UTM North \_\_\_\_\_ (If known)

Name of Quad Map for Location: Jessies Twist

2. **Location and Operations maps** must be plotted at a scale to accurately identify locational landmarks and operations details. All maps must include a north arrow, scale, appropriate labels, and title box including the mine name, township, range and section.

a. The **general location map** must be the scale of a USGS 7.5 minute series map or equivalent (1"=2000') and identify new or existing access roads.

b. The **operations map** (1"=200' or other scale as determined necessary by the Division) must be labeled and identify:

i. The area to be disturbed;

ii. The location of any existing or proposed operations including access roads, drill holes, trenches, pits, shafts, cuts, or other planned activities; and

iii. Any adjacent previous disturbance for which the operator is not responsible.

(Contact the Division for a list of consultants and land surveyors for mapping assistance.)

3. The proposed (5 acre or less) disturbed area (including access/haul roads) should be marked in the field ON THE GROUND with metal T-Posts (or with some other marker of equal effectiveness). Markers should be appropriately spaced so that the next marker in either direction is clearly visible with the naked eye.

III. **OPERATION PLAN** (Rule R647-3-106)

1. **Type of mining:** Underground G

2. **Mineral(s) to be mined:** Uranium and Vanadium

3. **Amount of material** to be extracted, moved, or proposed to be moved: 5000 tons ore

4. Will any **water, liquid chemicals, reagents, or other solutions** be used, produced or discharged as part of the mining or milling process?

Yes If yes, please describe (add extra pages if needed)

Water will be used underground for dust abatement and drilling. This water will be obtained from portions of the mine which are flooded. Water will not be discharged from the mine.

1. 5. Provide a brief **description of the proposed mining operation** and onsite processing facilities (add extra pages if necessary). The Surface Site of the mine will be setup as shown on the Operations Map. Necessary Equipment such as: ventilation fan.

compressor, generator, loaders and underground trucks will be brought in. Mine will be re-equipped with pipe, hose, vent bag, etc and mining will commence. Ore and waste rock will be stockpiled as shown on Operations Map.

At such time as ore is ready to be removed from the mine site. The Haul Truck loading and turn around area will then be put into use as shown on the Operations Map. It is anticipated that 1-3 truck loads of ore will be shipped each work day at full production. This level of production should continue for a period of 2-3 years.

6. G **New Road(s):** Length none (ft) Width                      (ft)

7. G **Improved Road(s):** Provide a description of the improvements that need to be made to existing roads to access the site, including the Length 400 (ft) and Width 20 (ft) of improvements.

A short portion of the road will need to be re-graded.

8. Total project surface **acreage to be disturbed:** 1.94 (acres) PLEASE SPECIFY EXACT ACREAGE - (this will be used to determine surety bond amount – see #VI).

9. Proposed **startup date** (month, year) March 2009

10. Proposed **completion date**, if known (month, year) unknown

#### IV. **OPERATION AND RECLAMATION PRACTICES** (Rule R647-3-107, 108 & 109)

The reclamation and operation obligation is to keep the area clean and safe, minimize hazards to public safety, return the land to a useful condition, and reestablish at least 70 percent of the premining vegetative ground cover. To accomplish this, the Permittee / Operator will need to perform reclamation concurrently, or at the completion (within one (1) year) of mining. Please refer to The Practical Guide to Reclamation in Utah, available at www.ogm.utah.gov.

1. *Keep the mining operation in a safe, clean, and environmentally stable condition.*
2. *Permanently seal all shafts and tunnels to prevent unauthorized or accidental entry.*
3. *Plug drill holes with a five foot cement surface plug. Holes that encounter fluids are to be plugged in the subsurface to prevent aquifer contamination.*
4. *Construct berms, fences, or barriers, when needed, above highwalls and excavations.*
5. *Remove, isolate, or neutralize all toxic materials in a manner compatible with federal and state regulations.*
6. *Remove all waste or debris from stream channels.*
7. *Dispose of any trash, scrap metal, wood, machinery, and buildings.*
8. *Conduct mining activities so as to minimize erosion and control sediment.*
9. *Reclaim all roads that are not part of a permanent transportation system.*
10. *Stockpile topsoil and suitable overburden prior to mining.*
11. *Stabilize highwalls by backfilling or rounding to 45 degrees or less, where feasible; reshape the land to near its original contour, and redistribute the topsoil and suitable overburden.*

12. Properly prepare seedbed to a depth of six inches by pocking, ripping, discing, or harrowing. Leave the surface rough.
13. Reseed disturbed areas with adaptable species. (The Division recommends a mixture of species of grass, forb, and browse seed, and will provide a specific species list if requested.)
14. Plant the seed with a rangeland or farm drill, or broadcast the seed. Fall is the preferred time to seed.

**V. VARIANCE REQUEST (Rule R647-3-110)**

**Any variance request must be approved in writing by the Division**

Any planned deviations from Rules R647-3-107, Operation Practices, R647-3-108, Hole Plugging Requirements, or R647-3-109, Reclamation Practices, as summarized above (see IV. Operation and Reclamation Practices Item # 1-14), should be identified below listing applicable rule number. Give justification for the variance(s) and alternate methods or measure to be utilized. Written approval from the Division will be given, if the proposed alternative methods to be used are consistent with the Act.

**Are variances being requested? Yes**

**1<sup>st</sup> Variance Requested**

IV 10

Rule R647-3-107, 108 & 109

Item #

Applicable Rule # (i.e. R647-3-109.10 (if you did not want trenches & pits reclaimed)

Justification: There is no topsoil available to remove.

Alternate methods or measure to be utilized: We will be adding additional waste rock to an

existing pile. This waste rock is just as fertile (non fertile) as the surrounding soils.

**2<sup>nd</sup> Variance Requested**

IV 12, 13, 14

Rule R647-3-107, 108 & 109

Item #

Applicable Rule #

Justification: There are only a very few plants growing within the area proposed to be

disturbed. Furthermore the entire land surrounding the mine site has little to no vegetation.

Alternate methods or measure to be utilized: There is no use planting seeds as they won't grow  
Ground will be left barren - like everything around it.

**3<sup>rd</sup> Variance Requested**

Rule R647-3-107, 108 & 109

Item #

Applicable Rule #

Justification: \_\_\_\_\_

Alternate methods or measure to be utilized: \_\_\_\_\_

Attach additional page if more variances are requested.

VI. **SURETY** (Utah Code Ann. §40-8-7(1)[c])

**A reclamation contract and surety must be provided to and approved by the Division prior to commencement of operations.** All mining operations are required to furnish and maintain reclamation surety to guarantee that the land affected is reclaimed (Utah Code Ann. §40-8-7(1)[c]).

The reclamation surety amount is based on the nature, extent and duration of operations. The amounts are based on data from current large mine surety and are used as a general guide, along with actual site conditions. Reclamation surety for small mines is reviewed every three (3) or five (5) years and adjusted as necessary for inflation/deflation based upon acceptable Costs Index. **Contact the Division for the dollar amount required for a three (3) or five (5) year period for this project.**

I have provided or will provide surety in the form of:

G Cash (certified funds)

G Other CASH (please identify) undecided

VII. **PERMIT FEE** (Utah Code Ann. §40-8-7(1)(i))

A permittee's authorization under a notice of intention to conduct small mining operations shall require the paying of permit fees as authorized by the Utah Legislature (R647-3-102.5). Permit fees are assessed to new and existing small mining operations, and annually thereafter, until the project disturbances are successfully reclaimed by the Permittee / Operator and released by the Division.

***Small Mine Notices require a \$150.00 fee, which must accompany this application, or the Division cannot process it.***

VIII. **SIGNATURE REQUIREMENT**

(Please check the box if applicable and place your initials on the line provided)

KK G I have enclosed the required permit fee.

KIC G I have <sup>Am</sup> enclosed/requested <sup>ing</sup> a Reclamation Contract (Form MR-RC) and the appropriate reclamation surety amount or have made arrangements as to when the surety will be furnished.

KIC G I understand that I am not authorized to create any surface disturbance until the surety amount is posted and approved in writing from the Division of Oil, Gas and Mining and any other authorized regulatory agency.

**CERTIFICATION**

I state under penalty of perjury under the laws of the state of Utah and the United States of America that:

- a. I have read this form and declare the information, statements and/or documentation are true, correct and complete to the best of my knowledge and belief; AND
- b. I commit to the reclamation of the aforementioned small mining project as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.

- c. **This certification must be signed by:** (1.) an executive officer if the applicant is a corporation; (2.) a partner if applicant is a partnership (general or limited); (3.) the owner if applicant is a sole proprietorship; **or** (4.) the member or manager if applicant is a limited liability company.

Signature: Kyle Kimmerle

Date: Jan 9, 2009

Name (typed or printed): Kyle Kimmerle

Title/Position (if applicable): Managing Member

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# Project Location map



